

**REMARKS****Status of Claims**

Claims 1-22 were pending in this application, of which claims 1, 4, 8, 9, 12, 15, 19, and 20 are independent.

In this Amendment, claims 5-7, 10-11, 16-18 and 21-22 have been amended. Claims 1-3, and 12-14 have been cancelled without prejudice. Applicant acknowledges, with appreciation, the Examiner's allowance of claim 4, 8, 9, 15, 19, and 20. Care has been exercised to avoid the introduction of new matter.

Claims 23-51 have been added. Claims 23-28 depend upon allowed claim 8 incorporating limitations of claims 3, 5-7, 10 and 11, respectively. Claims 29-34 depend upon allowed claim 9 incorporating limitations of claims 3, 5-7, 10 and 11, respectively. Claims 35-41 depend upon allowed claim 19 incorporating limitations of claims 13, 14, 16-18, 21 and 22, respectively. Claims 42-48 depend upon allowed claim 20 incorporating limitations of claims 13, 14, 16-18, 21 and 22, respectively. Claim 49 depends upon allowed claim 4 incorporating limitations of claim 3. Claims 50-51 depend upon allowed claim 15 incorporating limitations of claims 13 and 14, respectively. Care has been exercised to avoid the introduction of new matter.

Applicant respectfully requests the Examiner to consider the Information Disclosure Statement filed on August 25, 2008. The Examiner is requested to forward an appropriately initialed copy of the PTO-1449 form with the next office communication.

**Rejections under 35 U.S.C. § 103(a)**

Claims 1, 5, 12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhou et al. (US 2002/0021862) in view of Deng et al. (US 2002/0196491) and further in view of

Essiambre et al. (US 2004/0208617) and further in view of Miller (USP 6,044,189). Claims 2, 3, 6, 7, 13, 14, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhou et al. in view of Deng et al. and further in view of Essiambre et al. and further in view of Miller, and further in view of Kartalopoulos ("Introduction to DWDM"). Further, Claims 10, 11, 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhou et al. in view of Deng et al. and further in view of Essiambre et al. and further in view of Miller, and further in view of Gabitov (US 2002/0048070).

It is respectfully submitted that since claims 1-3 and 12-14 have been cancelled, the rejections of these claims are now moot. Since claims 5-7 and 10 have been amended so as to depend upon allowed claim 4 and claim 11 depends upon claim 10, it is submitted that these claims are also allowable. Since claims 16-18 and 21 have been amended so as to depend upon allowed claim 15 and claim 22 depends upon claim 21, it is submitted that these claims are also allowable. Applicant also submits that since new claims 23-51 depend upon either allowed claims 4, 8, 9, 15, 19 or 20, these claims are allowable.

**CONCLUSION**

As all the claims have clearly been placed into condition for allowance, Applicant respectfully requests entry of this amendment. Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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